

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LARBALL PUBLISHING COMPANY, INC.  
and SANDY LINZER PRODUCTIONS,  
INC.,

Plaintiffs,

v.

DUA LIPA, JONATHAN LYNDALE KIRK  
("DA BABY") D/B/A BABY JESUS  
PUBLISHING, CLARENCE COFFEE, JR.,  
SARAH HUDSON, STEPHEN  
KOZMENIUK, SONY MUSIC PUBLISHING  
(US) LLC, UNIVERSAL MUSIC  
CORPORATION, and WARNER RECORDS  
INC.,

Defendants.

CASE NO. 22-CV-1872-KPF

**NOTICE OF MOTION TO DISMISS THE  
FIRST AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the Declaration of Jeffrey M. Movit, Esq. dated November 30, 2022, and all prior pleadings and filings in this Action, Defendants Dua Lipa, Clarence Coffee, Jr., Sarah Hudson, Stephen Kozmeniuk, Sony Music Publishing (US) LLC, Universal Music Corporation and Warner Records Inc. (collectively, "Defendants"), through their undersigned counsel, hereby respectfully move this Court, at the United States District Court for the Southern District of New York, 40 Foley Square, Courtroom 618, New York, New York 10007, before the Honorable Katherine Polk Failla, for an Order dismissing Plaintiffs' copyright infringement claims related to the musical composition "Wiggle and Giggle All Night" with prejudice pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

PLEASE TAKE FURTHER NOTICE that, pursuant to the directive of the Court, answering papers, if any, are required to be served upon the undersigned by January 6, 2023.

DATED: New York, New York  
November 30, 2022

MITCHELL SILBERBERG & KNUPP LLP

By: /s/ Jeffrey M. Movit

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Corporation, Warner Records Inc.*